

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA  
OMAHA DIVISION

**EMILY SPEIRS and M.S., a Minor, by  
EMILY SPEIRS, her Mother and Next  
Friend, Each Individually and on  
Behalf of All Others Similarly Situated**

**PLAINTIFFS**

vs.

No. 8:21-cv-298

**MOUTH OF THE SOUTH; CBD, LLC,  
CUTCHALL MANAGEMENT COMPANY, INC.,  
and RYAN D. ERNST**

**DEFENDANTS**

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE AS TO  
SEPARATE PLAINTIFF M.S.**

The Parties, by and through their undersigned counsel, for their Joint Stipulation of Dismissal with Prejudice hereby state and allege as follows:

1. Plaintiff brought this action against Defendants alleging violations of the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201, *et seq.*
2. Defendants tendered an offer of Judgment to Separate Plaintiff Emily Speirs that will resolve all claims pending in this lawsuit; Plaintiff has accepted the offer of judgment and will file a notice of same.
3. Because the offer of judgment to Plaintiff Speirs also resolves the claims of Ms. Speirs' minor daughter, Separate Plaintiff M.S., the Parties file this stipulation of dismissal with prejudice as to Separate Plaintiff M.S. pursuant to Rule 41(a)(1)(A)(ii), which allows a case to be dismissed by stipulation if signed by all parties who have appeared.

4. The Parties hereby stipulate to the dismissal with prejudice of  
Separate Plaintiff M.S.

Respectfully submitted,

**EMILY SPEIRS and M.S., by and  
through her Mother and Next Friend,  
EMILY SPEIRS,  
PLAINTIFFS**

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**MOUTH OF THE SOUTH; CBD,  
LLC, CUTCHALL  
MANAGEMENT COMPANY,  
INC., and RYAN D. ERNST,  
DEFENDANTS**

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/s/ Patrick F. Hulla  
Patrick F. Hulla  
admitted *pro hac vice*

**CERTIFICATE OF SERVICE**

I, the undersigned counsel, do hereby certify that on the date imprinted by the CM/ECF system, a copy of the foregoing was filed via the CM/ECF system, which will provide notice to the following attorneys of record:

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**Josh Sanford**